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The Times

WHOLE NUMBER 18,706.

RICHMOND, VA., WEDNESDAY, AUGUST 9, 1911.

THE WEATHER TO-DAY—Fair.

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PRICE TWO CENTS.

NELSON AUTOPSY PROVES NEGATIVE

Coroner Finds No Trace of Poison in Body of Infant.

DECIDES, HOWEVER, TO HOLD INQUEST

Examination Will Be Delayed Until Result of Chemical Analysis Is Known—Baby's Strange Death Not Understood by Physicians. Nurse to Appear.

In an effort to determine what strange malady or what means caused the death at 7 o'clock yesterday morning in the Memorial Hospital of Shirley Carter Nelson, the nine-months-old daughter of Mr. and Mrs. Robert Burrell Nelson, an autopsy was performed yesterday afternoon by Coroner Taylor and Drs. E. H. Terrell and C. A. Blanton.

The autopsy proved negative in character, but Coroner Taylor deemed it wise to conduct the investigation further, and decided to hold an inquest at 4:30 o'clock this afternoon.

To Get Chemical Analysis.

The contents of the child's stomach are in his hands and will be examined for possible traces of some opiate poison, and as the chemical analysis will take two or three days, the coroner's jury will be adjourned after being assembled to hear what evidence may be introduced until Dr. Taylor has completed his analysis.

The infant was taken out for an airing at 9:30 o'clock Monday morning by her nurse, Sophie Brody, of 301 Preston Street, and was brought back at 12:30 o'clock. Soon after Mrs. Nelson saw that the child was asleep, and on account of the glazed appearance of her eyes, she stated, attempted to arouse her. Her efforts were unavailing, and then, thoroughly alarmed, she called in Dr. Terrell. Dr. Terrell was also unable to awake the infant, and he called in Dr. Blanton, a specialist in children's diseases.

Hurried to Memorial.

Even then it was impossible to do anything, and after a consultation it was determined to take her to the Memorial Hospital for treatment. Mrs. Nelson held the baby in her arms as she was driven rapidly to the hospital, and remained at the bedside for a short time. Physicians worked unavailingly for some hours, but she never awakened from the coma into which she had settled.

Dr. Blanton thought that the circumstances were sufficiently suspicious for action by the coroner, and he notified Coroner Taylor. A thorough autopsy was performed at 5 o'clock yesterday afternoon, but there were no traces of poison, though many opiates work their results without leaving noticeable effects in the organs of the body, and in order to satisfy himself and the two physicians who had been called in, and to allay suspicion, Coroner Taylor decided to examine the contents of the stomach, which had been carefully preserved. It was thought that the child may have suffered from some affection of the brain, as it had been noticed to place its hand to the back of the head as if in pain, several days ago. But the brain appeared to be in normal condition, as were the other organs of the body.

Baby Part Held to Estate.

Mr. and Mrs. Nelson, who are staying at the Guerrant Hotel, have been in the city three months, coming here from New York. Mr. Nelson is originally from Lynchburg, and is a certified accountant by occupation. Mrs. Nelson, whose maiden name was Florence Leves, is from California, though she is well connected in Richmond. She stated last night that she and her husband intended to make their home in Richmond, as the little baby was past her to the Wormeys estate, her interest amounting to about \$15,000. The inheritance, explained Mrs. Nelson, was bequeathed directly to the child.

Mrs. Nelson completed last night about what she thought the unnecessary publicity which had been given to the death of her child. She thought that the doctors had been baffled in trying to discover the disease which had afflicted little Shirley, and had therefore asked for a coroner's inquest.

Nurse to Appear at Inquest.

"It was only a sudden and tragic death of a little baby," she said, "and they didn't know the cause." She stated that they had drawn more than an ounce of blood from the child before death, and thought death might have resulted from physical exhaustion as well as from anything else. No suspicion attaches to the nurse, who has expressed willingness to appear before the coroner's jury and to tell all she knows. The child is said to have been exceptionally healthy and beautiful.

The Nelsons have been married three years, and Shirley was their only child.

BRYAN WAS WARNED

"The Commoner" Threatened With Trouble From Post-Office Department.

Washington, August 8.—William Jennings Bryan and "The Commoner" were mentioned before the House Post-Office Expenditures Committee to-day. Third Assistant Postmaster-General Bryan, defending the attitude of his department toward the Woman's National Daily and other concerns headed by E. G. Lewis, of St. Louis, read a letter written eight years ago by Third Assistant Postmaster-General Madden, now counsel for Lewis, in which Mr. Bryan was warned that publication of the Woman's National Daily, or of any other publication, by an individual or combination, were not entitled to the second class postage rate.

Mr. Britton insisted that the proceedings against the Lewis companies were regular, and that prejudice was not responsible for his activities.

NOTABLE CAREER ENDS WITH DEATH

Senator W. P. Frye Dies Suddenly at Home in Maine

IN CONGRESS FOR 14 YEARS

President Pro Tempore of Senate Until Failing Health Compelled His Resignation—His Death Will Add Another Member to Democratic Strength.

Lewiston, Me., August 8.—The State of Maine lost its senior United States Senator and an almost lifelong faithful servant when William Pierce Frye died to-day at the home of his daughter, Mrs. Helen White, in this city. The end came at 3:55 P. M. At his bedside were Mrs. White and his other daughter, Mrs. Alice Briggs, who also resides in Lewiston. Although he had been ill for a long time, death came suddenly.

Forced by the condition of his health to resign his position as president pro tempore of the Senate at the beginning of the present special session of Congress, although he retained his membership in the Senate, Senator Frye soon afterward made his last journey from Washington to the city which always had been his home. For several weeks his condition was not considered necessarily dangerous. Up to last week he rested in comparative comfort, spending much of his time in reading or in having some member of his family read to him.

Last week the Senator's illness took a serious turn, but he again rallied, and this week his physicians expressed the hope that he might recover. As late as 3:15 this afternoon he appeared to be in a comfortable condition. Shortly afterward it was seen that he was sinking rapidly, and at 3:55 o'clock he died.

A general breakdown, due to age and his extremely arduous career, is ascribed by Senator Frye's physicians as the cause of death.

Funeral arrangements had not been completed to-night. President Taft and Governor Plaisted were notified of the death of Senator Frye.

Message From Sherman.

The following telegram from Vice-President James S. Sherman was received at Senator Frye's home to-night:

"News of the death of Senator Frye fills every Senator's heart with sorrow and casts a gloom over official Washington. My sorrow is deep and keen. The Senator's long, faithful and conspicuous service brightens the pages of his country's civic history. His unflinching suavity, his kindness, his goodness, will long endure. Great is his loss. Well has he earned his rest."

Had Notable Career.

Washington, D. C., August 8.—News of Senator Frye's death reached the Senate informally this afternoon when Admiral Togo, the Japanese naval hero, was being given an ovation during a ten-minute recess. As the Senate was still in the legislative session, on Monday, by reason of continuing under the agreement to vote on the statehood bill on the legislative day of August 7, it was decided that no announcement should be made to-day of the loss of the Senate's oldest member. There was a unanimous decision also that an adjournment was taken out of respect for his memory that it be for an entire day. This formality will be complied with immediately after the Senate convenes to-morrow.

The fact that the Democrats will gain a Senator, a point of consideration in connection with the alliance between the Democrats and Progressive Republicans that has shackled the Republican "paper majority," will not alleviate the grief genuinely felt by all Senators regardless of party. Senator Frye was famed for his fairness to all members whether as the presiding officer or in debate on the floor. By reason of the recent Democratic victory in Maine and the resultant election of a Democratic Governor and Legislature, Senator Frye will be succeeded by a member of that party. The change will reduce the Republican membership of the Senate to 49 and increase the Democratic membership to 41. Senator Frye's term would have ended March 4, 1913. The choice at present will rest with Governor Plaisted, who will make an appointment.

Remarkable Coterie.

Senator Frye was one of the last two of that remarkable coterie of Maine statesmen which began with Hannibal Hamlin, ended with himself and Senator Hale, who retired at the close of the last session of Congress, and included James G. Blaine, William Pitt Fessenden, Thomas B. Reed and Nelson Dingley. Both he and Hale began service in the Senate in 1851, and served the nation side by side for thirty years, a much longer time than any other two men ever sat together in the Senate, whether from the same State or not.

Frye began his service as the successor of Blaine, and Hale as successor of Hamlin. Both entered the Senate after conspicuous service in the House, and both began their congressional careers as the latter body almost simultaneously. Mr. Frye was in Congress from the time of his first election to the House until the close of his life. The service had covered a period of forty years, giving him the longest continuous congressional record, with the two exceptions of Justin S. Morrill, of Vermont, and William B. Allison, of Iowa. For fifteen years Mr. Frye had been president pro tempore of the Senate, and by virtue of the fact that he held this office when the late Vice-President Hobart died, he assumed all the functions of Vice-President of the United States during the latter half of President McKinley's administration.

CENTRALIZATION ONLY SAFEGUARD

In No Other Way Can States Combat Federal Usurpation.

LET GOVERNOR BE RESPONSIBLE

Striking Proposition Advanced by Raleigh C. Minor at Meeting of Virginia Bar Association—Judge Christian Delivers Notable Eulogy on Chief Justice Taney.

William Minor Life Declines Nomination

(Special From a Staff Correspondent.)

Hot Springs, Va., August 8.—William Minor Life, dean of the University of Virginia Law School, was offered the unanimous nomination for the presidency of the Virginia Bar Association to-night. He declined for personal reasons.

It is a persistent rumor that Joshua F. Bullitt, of Big Stone Gap, will be chosen president.

(Special From a Staff Correspondent.)

Hot Springs, Va., August 8.—Centralization in State government is the only safeguard against the centralization of all State powers in the Federal government. Such was the striking proposition advanced here in an address, constituting the feature of the night session of the Virginia Bar Association, by Raleigh C. Minor, professor of law in the University of Virginia, who, referring to Virginia as an example, declared that all executive power should be concentrated in the Governor, who should appoint all the principal State executive officers and be solely responsible for them to the people. The Governor should have the same powers as the head of a corporation, for "in an important aspect the State is a business corporation, and so far as may be, should be conducted as such."

Eulogy of Taney.

The main feature of the morning session, which was called to order in a few well chosen remarks by Hill Montague, of Richmond, chairman of the executive committee, was the annual address of the president, George L. Christian, of Richmond. The members of the association are unanimous in the opinion that this was one of the most scholarly addresses ever delivered before the body. Taking as his subject "Chief Justice Taney," an almost forgotten great figure of former days, Judge Christian showed that this Marylander looms up as one of the few really great men who have worn the ermine of the Supreme Court.

Taney, as a man, courteous, affable, yet dignified; as a patriot, serving his country according to his conscience; as a judge, just, fearless, incorruptible, thus Judge Christian sketched him in a monograph which bore unmistakable signs of patient months of research.

None, Judge Christian said, dreaded more than Taney the baneful influence of the combinations of the moneyed power. He said three-quarters of a century ago that no hands are less worthy to be trusted with the necessary accumulation of power over persons and property than those of a moneyed corporation. Incidentally, declared the speaker, the trend of some of Chief Justice Marshall's opinions "has laid the foundation for that centralization of power which is the Federal Government, and not only a menace to the stability of the republic as such, but to the liberties of the people as well."

Taney's judicial administration was "a distinct reaction," he declared, against the tendency of Marshall to construct a government favorably to the Federal government. The decisions handed down by Taney make the Supreme Court the "palladium of our liberties."

Chief Justice Marshall's Way.

In the old days, when it only required a bottle of Madeira, it is said that Chief Justice Marshall would ask one of his associates to go to the window and see how the weather was. "If the judge reported that there was a cloudless sky, Marshall would say: 'Well, our constitution is so extensive that I am confident it is raining somewhere to-day, and so I think on a survey of the whole, we will take a bottle of Madeira.'"

In conclusion, Judge Christian discussed the famous Dred Scott and John Merriam cases, concluding that Chief Justice Taney was wholly just and right in his views in these cases. "True greatness," he said, "is being recognized at last, and Taney towers commandingly in American jurisprudence, his fame secured forever and untarnished by calumny and hatred."

In an eloquent peroration, Judge Christian paid a beautiful tribute to the great judge.

Raleigh C. Minor delivered an address at the night session on "Centralization vs. Decentralization." With the sureness of a master hand he traced the gradual encroachment of the Federal government upon the rights and powers of the States, showing that centralization of power in the national government is prevailing.

"Elihu Root," he said, "has lately, doubtless at the President's suggestion, stated publicly that unless the States perform more satisfactorily the duties allotted them, means will be found, by construction of the Federal Constitution, to take from them and confer upon the general government control of such subjects now admitted to be reserved to the States as touch upon the common interests of the American people. The 'limit of safety' has been reached in Federal appropriation of State power. The want of due wis-

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PAUL BEATTIE, CHIEF WITNESS FOR STATE AT TRIAL OF HENRY BEATTIE



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GREAT FINANCIER IS DEAD IN PARIS

John W. Gates Dies This Morning After Brave Fight for Life.

HAD SPECTACULAR CAREER

Occupied Commanding Position in World of Finance and Sports.

Paris, August 8.—John W. Gates, the American financier, died at 5:10 this morning, in the arms of his wife and his son, Charles G. Gates. The end was peaceful, and it seemed as if he were falling asleep. The usual restorative failed in the last crisis.

Others present at the bedside besides the members of the family were Drs. Gros and Reeves.

His iron constitution and courageous resistance, backed by every resource of medical science, failed to save Mr. Gates. He had battled for weeks heroically with a disease of the kidneys, and when it was believed that he was almost sure to recover, contracted pneumonia.

Several times he was reported to be at the point of death, but with the aid of powerful stimulants rallied. The pneumonia and kidney troubles had ameliorated somewhat Monday, but early Tuesday morning there was a recurrence of the congestion of the kidneys, which was followed by a further attack Tuesday noon.

Tuesday night Mr. Gates suffered a general relapse, and gradually sank until death intervened. Mrs. Gates and his son, Charles G. Gates, had been at the bedside almost constantly since Mr. Gates' illness was pronounced serious.

The death of John W. Gates in Paris to-day removed in his prime one of the boldest and most successful American financiers and a picturesque figure in the field of sports. Since 1880, when he organized the Southern Wire Company, Mr. Gates had been a man with whom it was necessary to reckon in the particular industrial affairs to which he had given his attention. In recent years he found relaxation from business cares in becoming a prominent patron of the American turf.

Mr. Gates began his business career as proprietor of a hardware store at Turner Junction, Ill., near the farm where he was born in 1855. His par-

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STATEHOOD BILL PASSES SENATE

Measure May Become Law Without Taft's Signature.

OBJECTS TO PRESENT FORM

Nelson Amendment, for Which He Contended, Defeated by Vote of 43 to 26.

Washington, August 8.—The bill granting statehood to New Mexico and Arizona, legislation that for many years has been the dream of the people of those Territories, was passed by the Senate to-night, 53 to 15, after rejection of the Nelson amendment, which proposed striking out of the Arizona Constitution its judiciary recall provision.

The bill as passed by the Senate differs only slightly from the House measure, and it is said may be unsatisfactory to President Taft. He has contended all along that he would be glad to sign the statehood bill if the Nelson amendment prevailed, but that it was a grave question whether he would be willing to sign it if the amendment were defeated, as it was by 43 to 26. The indications to-night are that the bill will become a law without his signature.

Practically all of the debate on the bill centered around the Nelson amendment. Even some Senators who declared their opposition to the recall of judges voted against the amendment, on the ground that if the people of Arizona desired recall as part of their system of government it was for them and not for Congress to say whether they should have it.

The bill as passed compels Arizona as a condition precedent to entry into the Union to submit the recall proposition to the voters for final decision as to whether it shall remain in their Constitution. New Mexico must vote on a proposition embodied in the bill which would make the Constitution of the State easier of amendment.

Tug Is Destroyed.

Bridgeport, Conn., August 8.—The tugboat Stephen E. Babcock, of the Bridgeport Towing Line, was burned to the water's edge in the West End harbor this afternoon. Engineer Sylvester Caldwell and Fireman Frank Colerick were severely burned about the face, hands and upper part of the body.

LEISHMANN GOES TO POST AT BERLIN

He Succeeds Dr. David Jayne Hill as Ambassador to Germany.

MANY CHANGES MADE

Evident That Taft Has Extended Civil Service Principle to Diplomatic Corps.

Washington, D. C., August 8.—One of the most important shake-ups in the American diplomatic corps in recent years occurred to-day. The nominations of successors to Dr. David Jayne Hill, as ambassador to Germany, and to Charles H. Sherrill, as minister to Argentina, both of whom resigned, and of other ambassadors and ministers were sent to the Senate by the President. The nominations follow:

John G. Leishmann, of Pittsburg, Pa., now ambassador to Italy, is transferred as ambassador to Germany.

Thomas O'Brien, of Grand Rapids, Mich., at present ambassador to Japan, is transferred as ambassador to Italy.

Charles Page Bryan, of Chicago, now minister to Belgium, is promoted to be ambassador to Japan.

Larz Anderson, of the District of Columbia, who previously has been in the diplomatic service, is appointed minister to Belgium.

John Ridgley Carter, of Baltimore, Md., minister to the Balkan States, is transferred as minister to the Argentine Republic.

John B. Jackson, of Newark, N. J., now minister to Cuba, succeeds Mr. Carter as minister to the Balkan States.

Arthur M. Beaupree, of Aurora, Ill., now minister to the Netherlands, becomes minister to Cuba.

Lloyd Bryce, of New York, the only one of the nominees who is not now or has not been previously in the diplomatic service, is appointed minister to the Netherlands.

The resignation of Dr. Hill as ambassador to Germany was announced April 14 with somewhat startling suddenness, as there had been no previous intimation to the public that the ambassador contemplated retiring. The President immediately began a search of the foreign service for a well-equipped diplomat to succeed Dr. Hill. His choice fell upon Mr. Leishmann, and this involved numerous changes, as it was desired to fill all vacancies possible by promotions within the service. The task was further increased recently by Charles H. Sherrill retiring.

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PERKINS FACES IMPRISONMENT FOR CONTEMPT

Refuses to Answer Questions Put by Committee of Inquiry.

GIVEN TIME TO THINK IT OVER

Unless He Changes Mind, He May Be Cited Before Bar of House and Declared in Contempt of Congress—Queries Bear on Campaign Contributions.

Washington, D. C., August 8.—George W. Perkins, a director of the United States Steel Corporation, and one of the men said to have played an averting financial disaster during the panic of 1907, to-night faces the alternative of answering questions to the House committee of inquiry into the Steel Corporation, bearing on his personal campaign contributions and such contributions made by the New York Life Insurance Company, or of being cited before the bar of the House of Representatives.

Should the House sustain the majority of the committee and order Mr. Perkins to answer, and should he then still refuse, he may be adjudged in contempt of Congress and imprisoned. It is believed, however, that this crisis will not be reached, Mr. Perkins having expressed a desire to reflect on his position.

Counsel Advises Refusal.

Mr. Perkins, though personally willing to talk about campaign contributions, refused on the advice of counsel, to answer interrogatories on that line put to him by Chairman Stanley and Representative Beall, of Texas. Richard Lindabury, counsel for the Steel Corporation, and Edgar A. Bancroft, who appeared for Mr. Perkins, insisted that the authority given the committee in this inquiry into irrelevant an attempt to inquire into the private campaign contributions of the witness or his relations with corporations foreign to the Steel Corporation.

Late to-day after the witness, his counselors and the committee had wrangled long over the hitch, and the chairman's decision that he answer had been sustained after an appeal by Representative L. Young, of Michigan, Chairman Stanley wanted Mr. Perkins that it might be necessary to cite him to the bar of the House. The chairman later suggested that the New York financier appear before the House to-morrow, to avoid being taken into custody by the sergeant-at-arms.

When matters reached this stage Mr. Perkins said the situation was so critical that he wished time to consider. This was granted.

"Mr. Perkins," said Chairman Stanley to-night, "will be given another opportunity to answer. He still persists in refusing to answer, and will be nothing to do but to cite him before the bar of the House. The procedure will be for the committee to turn him over to the sergeant-at-arms."

Tells Remarkable Story.

Mr. Perkins, aside from his turn in the committee proceedings, told the committee a remarkable story of the panic of 1907, and the events which made necessary the absorption of the Tennessee Coal and Iron Company by the United States Steel Corporation. He admitted that the Steel Corporation had contributed to the spread of procreative tariff doctrine, and verified records produced by Chairman Stanley that the Steel Corporation in 1904 sought legal advice which directed that, as a corporation, it should not make contributions to campaign funds.

The witness was subjected to a rigorous examination by Mr. Stanley, relating to the record of the minutes of the executive committee of the Steel Corporation, at which Mr. Perkins proposed a plan of converting \$200,000 worth of Steel preferred stock into \$250,000,000 5 per cent. second mortgage bonds, thus gaining \$5,000,000 without costing the corporation anything.

In this connection, Chairman Stanley explained that the New York Life Insurance Company bought some of these second mortgage bonds, and stated that this was one of the reasons why the committee insisted upon the relevancy of inquiry, pertaining to the insurance company, of which Mr. Perkins formerly was president and chairman of finance committee.

After reading the minutes in which Mr. Perkins was quoted regarding the bond conversion transaction, Chairman Stanley asked:

"Did you ever propose to operate this transaction so as to get \$50,000,000 for nothing?"

"I anticipated you would question me on that line, and I have a prepared statement concerning just what I did do," said Mr. Perkins, "which I will ask permission to submit later."

"We are not interested in what you did to get \$50,000,000 more working capital," said Mr. Perkins.

"Did you think it right, morally or ethically, to get \$50,000,000 from your stockholders without cost?"

"I think the plan as devised and operated was absolutely right in every particular," said Mr. Perkins.

Mr. Stanley quoted from the minutes, in which Mr. Perkins was quoted as having said that if "we got 10 per cent. of the preferred stock in obligations maturing in fifty years we would be creating a sinking fund for retiring what is considered some of the water in the concern."

"How much water was there in the Steel Corporation?" the chairman asked.

"I did not feel that there was any, but it was a wise common criticism of